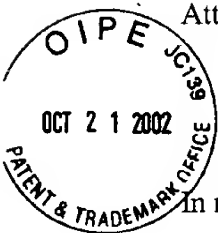


#9 DAC/3641

Attorney's Docket No. 07414.110

PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Andre JOUANNEAU

Appl. No.: 09/155,241

Group Art Unit: 3641

Filed: September 22, 1998

Examiner: Harvey E. Behrend

For: METHOD AND APPARATUS FOR PRODUCING AND USING PLASMA

PETITION TO REVIVE UNINTENTIONALLY ABANDONED APPLICATION

BOX DAC

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

Applicant through his attorney hereby petitions for revival of the above-identified application, which was unintentionally abandoned as a result of the response to the outstanding non-final Office Action not being responded to in a timely manner.

Applicant hereby claims small entity status and authorizes the payment of the petition fee as a small entity to be charged to Deposit Account No. 50-0548.

Enclosed is a bona fide response to the outstanding non-final Office Action responding to all of the issues raised therein.

Since this utility patent application was filed on or after June 8, 1995, no terminal disclaimer is required.

The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.

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OFFICE OF PETITIONS

Petition to Revive Unintentionally Abandoned Application

In re: Andre JOUANNEAU

Serial No. 09/155,241

Filed: September 22, 1998

Page 2 of 2

Furthermore, Applicant considers the claims to be patentable over the references relied upon in the outstanding Office Action. Applicant further believes that the other rejections and objections made in the Office Action are due to a misunderstanding of the invention by the Examiner. Applicant considers any patent that may issue from this application to be of more than sufficient value to justify the financial expense of obtaining the patent and has continued to maintain an interest in obtaining this patent. The unintentional abandonment was due to an oversight on the part of the Applicant and the period of delay was included the time for discovery of the oversight and the time needed to obtain competent patent counsel.

This petition is timely filed in that the final extended due date for response to the Office Action was October 19, 2001 and this Petition is filed on the first business day following the one year period which expired on Saturday, October 19, 2002.

It is not believed that extensions of time, further petitions, or fees are required, beyond those, which may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time or further petitions are necessary to allow consideration of this paper, such extensions or further petitions are hereby petitioned under 37 CFR § 1.136(a) or the relevant section of 37 CFR, and any fee required therefore (including fees for net addition of claims or the additional of independent claims in excess of three) is hereby authorized to be charged to Deposit Account No. 50-0548 and the undersigned is requested to be notified of any such charges.

Petition to Revive Unintentionally Abandoned Application

In re: Andre JOUANNEAU

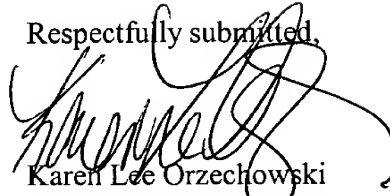
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Further and favorable action is earnestly solicited.

Respectfully submitted,



Karen Lee Orzechowski

Registration No. 31,621

Date: October 21, 2002

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